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KILPATRICK\_STOCKTON

PAGE 01/20



Attorneys at Law

June 29, 2006

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Central Fax	571.273.8300	Mail Stop PCT U.S. Patent and Trademark Office Alexandria, VA

Angela M. RossiFROM2298REFERENCE NO19PAGES (WITH COVER)41577/326422CLIENT/MATTER NO.**PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.****CONFIDENTIALITY NOTE:**

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**COMMENTS**

Re: U.S. Patent Application Serial No. 10/568,928  
Our. Ref. No. 41577/326422

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PTO-1390 (Rev. 07-2005)

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 41577/326422
INTERNATIONAL APPLICATION NO. PCT/GB2004/003363	INTERNATIONAL FILING DATE 04 August 2004 (04.08.2004)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/568,928
TITLE OF INVENTION APPARATUS FOR PROCESSING A FLUID SAMPLE		
APPLICANT(S) FOR DO/EO/US SQUIRRELL, David James; BOWN, Kevin John; WALSH, Philip		<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>JUN 29 2006</b>
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))        a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> has been communicated by the International Bureau.        c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).        a. <input type="checkbox"/> is attached hereto.        b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))        a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> have been communicated by the International Bureau.        c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.        d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the Inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input checked="" type="checkbox"/> Notification of Missing Requirements.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  10/568,928	INTERNATIONAL APPLICATION NO.  PCT/GB2004/003363	ATTORNEY'S DOCKET NUMBER  41577/326422																																																																																																								
20. Other items or information: I hereby certify that the attached documents are being transmitted by facsimile on the date shown below.																																																																																																										
<p>Angela M. Rossi <i>Angela M. Rossi</i></p> <p>The following fees are submitted:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 75%;">21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....</td> <td style="width: 25%; text-align: right;">\$300</td> <td style="width: 15%; text-align: center;">CALCULATIONS</td> <td style="width: 15%; text-align: center;">PTO USE ONLY</td> </tr> <tr> <td><input type="checkbox"/> Examination Fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US to the international preliminary examination report prepared By IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....</td> <td style="text-align: right;">\$0</td> <td style="text-align: center;">\$ .00</td> <td style="text-align: center;">\$ .00</td> </tr> <tr> <td>All other situations .....</td> <td style="text-align: right;">\$200</td> <td></td> <td></td> </tr> <tr> <td>23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US to the international preliminary examination report prepared By IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....</td> <td style="text-align: right;">\$0</td> <td style="text-align: center;">\$ .00</td> <td style="text-align: center;">\$ .00</td> </tr> <tr> <td>Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority .....</td> <td style="text-align: right;">\$100</td> <td></td> <td></td> </tr> <tr> <td>International Search Report prepared by an ISA other than the US and provided in the Office or previously communicated to the US by the IB.....</td> <td style="text-align: right;">\$400</td> <td></td> <td></td> </tr> <tr> <td>All other situations .....</td> <td style="text-align: right;">\$500</td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF 21, 22 and 23 =</b></td> <td style="text-align: right;"><b>\$ .00</b></td> <td></td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821 (c) or (e) computer program listing filed in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>- 100 =</td> <td>0/50 =</td> <td></td> <td>x \$250</td> </tr> <tr> <td colspan="2"></td> <td></td> <td style="text-align: right;">\$ 0</td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>24 - 20 =</td> <td>04</td> <td>x \$50</td> </tr> <tr> <td>Independent claims</td> <td>03 - 3 =</td> <td>0</td> <td>x \$200</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td style="text-align: right;">+ \$380</td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b> <b>\$ .00</b></td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL =</b> <b>\$ .00</b></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b> <b>\$ .00</b></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b> <b>\$ .00</b></td> </tr> <tr> <td colspan="4"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 75%;">Amount to be refunded:</td> <td style="width: 25%; text-align: right;">\$</td> </tr> <tr> <td>Amount to be charged: \$40.00</td> <td style="text-align: right;">\$</td> </tr> </table> </td> </tr> </table>			21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....	\$300	CALCULATIONS	PTO USE ONLY	<input type="checkbox"/> Examination Fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US to the international preliminary examination report prepared By IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0	\$ .00	\$ .00	All other situations .....	\$200			23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US to the international preliminary examination report prepared By IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0	\$ .00	\$ .00	Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority .....	\$100			International Search Report prepared by an ISA other than the US and provided in the Office or previously communicated to the US by the IB.....	\$400			All other situations .....	\$500			<b>TOTAL OF 21, 22 and 23 =</b>		<b>\$ .00</b>		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821 (c) or (e) computer program listing filed in an electronic medium) (37 CFR 1.492(l)). 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- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment of Deposit Account No. 11-0855. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING :** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.37(a) or (b)) must be filed and granted to restore the International Application to pending status.

## SEND ALL CORRESPONDENCE TO:

John S. Pratt, Esq.

Kilpatrick Stockton LLP

Suite 1100, 2800 Peachtree Street

Atlanta, GA 30309-4530

SIGNATURE

Dean W. Russell

NAME

33,452

REGISTRATION NUMBER



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,928	David James Squitrell	41577326422
		INTERNATIONAL APPLICATION NO.
		PCT/GB04/03363
I.A. FILING DATE		PRIORITY DATE
08/04/2004		08/21/2003

23370  
 JOHN S. PRATT, ESQ.  
 KILPATRICK STOCKTON, LLP  
 1100 PEACHTREE STREET  
 ATLANTA, GA 30309

CONFIRMATION NO. 9314  
 371 FORMALITIES LETTER

\*OC000000019208002\*

Date Mailed: 06/12/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/21/2006
- Copy of the International Search Report filed on 02/21/2006
- Preliminary Amendments filed on 02/21/2006
- Information Disclosure Statements filed on 03/27/2006
- Oath or Declaration filed on 02/21/2006
- U.S. Basic National Fees filed on 02/21/2006
- Priority Documents filed on 02/21/2006
- Specification filed on 02/21/2006
- Claims filed on 02/21/2006
- Abstracts filed on 02/21/2006
- Drawings filed on 02/21/2006

KS Docketing

Docketed for: 7/12/06  
 Entered on: 6/19/06  
 Initials: DKW  
 Previously Entered: \_\_\_\_\_

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

RCVD JUN 16 '06

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,928	PCT/GB04/03363	41577326422

FORM PCT/DO/EO/905 (371 Formalities Notice)